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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/881,597

Applicant(s)

FAROUK, ALAMGIR

Examiner

SAHERA HALIM

Art Unit

2457

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6, 8-17, 20-24, 26-31, 33-41 and 43-63 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6, 8-17, 20-24, 26-31, 33-41, 43-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notices of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the arguments and amendments filed November 25, 2008. Claims 2-6, 8-17, 20-24, 26-31, 33-41 and 43-63 are pending. The pending claims represent a method for presenting content based on the device description.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 50 – 53, 56, 8, 11 – 13, 21, 24, and 44 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,822,663 B2 to Wang et al. (hereinafter Wang).**

1. Wang teaches the invention as claimed including method for dynamic placement of web content (see abstract).

4. As per claim 50, Wang teaches a method comprising:

receiving device independent content (see Fig 1, and col. 6, line, 36 – 55; the proxy server receives content from web server 122), wherein the device-independent content is responsive to a content request from a user network terminal device (see Fig. 1, col. 6, lines 36 – 55; the content is responsive to a request from web-enabled devices 112-118);

identifying one or more device feature associated with the user network terminal device (see Fig. 3, col. 7, lines 17 – 36; the editor allows the designer to identify characteristics of a requesting device from which transform rules are generated and the match rule includes device capabilities);

matching at least one of the device feature associated with the device independent content with at least one of the device feature associated with the user network terminal device (see col. 8, line 5 – 43; characteristics of the requesting device and the content are matched by match rule);

based on said matching, converting device independent content into device-specific content adapted to said user network terminal device (see col. 8, lines 26 - 43; the XSL transform rules are used to convert the content for a specific device)

providing the device specific content to the user network terminal device (see col.8, lines 26-43; after transformation the content is sent to the requesting device).

Although the system disclosed by Wang teaches substantial features of the current invention (discussed above), it fails to explicitly teach that requesting content comprises markup information identifying one or more device feature values. However, Wang teaches the transform rules in markup language (col. 6, line 1-22) transferred to the Proxy server and save there. Moreover Wang teaches features of content without any values for matching. It would have been obvious for a person having ordinary skill in the art at the time of the invention to replace Wang's matching method with matching values in order to increase processing time.

5. As per claim 51, Wang teaches a system comprising (abstract):

a network terminal device detector configured to receive a content request from a network terminal device and to determine therefrom one or more device feature associated with the requesting network terminal device (see Fig 1, and col. 6, line, 36 – 55; the proxy server receives content from web server 122);

an origin server configured to receive said content request and, in response thereto, to provide device-independent content corresponding to said content request device (see Fig. 1, col. 6, lines 36 – 55; the content is responsive to a request from web-enabled devices 112-118),

a transformer configured to receive said device-independent content from said origin server, to associate at least of the device features associated with the device-independent content with at least one of the device features associated with the network terminal device (see col. 8, lines 26 - 43; the XSL transform rules are used to convert the content for a specific device), and to transform said device-independent content into device-specific content formatted for the requesting network terminal device (see col.8, lines 26-43; after transformation the content is sent to the requesting device).

Although the system disclosed by Wang teaches substantial features of the current invention (discussed above), it fails to explicitly teach that requesting content comprises markup information identifying one or more device feature values. However, Wang teaches the transform rules in markup language (col. 6, line 1-22) transferred to the Proxy server and save there. Moreover Wang teaches features of content without any values for matching. It would have been obvious for a person having ordinary skill

in the art at the time of the invention to replace Wang's matching method with matching values in order to increase processing time.

6. Regarding claim 52, Wang teaches one or more computer readable media computer storing computer executable instruction that, when executed, perform a match comprising:

receiving a request for content form a terminal device (see Fig 1, and col. 6, line, 36 – 55; the proxy server receives content from web server 122);

based on said request, identifying one or more device display characteristics associated with the terminal device (see Fig. 3, col. 7, lines 17 – 36; the editor allows the designer to identify characteristics of a requesting device from which transform rules are generated and the match rule includes device capabilities);

receiving content responsive to the request (see Fig. 1, col. 6, lines 36 – 55; the content is responsive to a request from web-enabled devices 112-118), said content display characteristics expressing an author intent for displaying said content on a plurality of devices having different display characteristics device (see Fig. 3, col. 7, lines 17 – 36; the editor allows the designer to identify characteristics of a requesting device from which transform rules are generated and the match rule includes device capabilities);;

matching one or more device display characteristics with one or more content display characteristics (see col. 8, line 5 – 43; characteristics of the requesting device and the content are matched by match rule);

based on said matching, converting the content into a device-dependent format compatible with one or more device display characteristics of the terminal device (see col. 8, lines 26 - 43; the XSL transform rules are used to convert the content for a specific device); and

transmitting said device-dependent formatted content to the terminal device (see col.8, lines 26-43; after transformation the content is sent to the requesting device).

Although the system disclosed by Wang teaches substantial features of the current invention (discussed above), it fails to explicitly teach that requesting content comprises markup information. However, Wang teaches the transform rules in markup language (col. 6, line 1-22) transferred to the Proxy server and save there. Moreover Wang teaches features of content without any values for matching. It would have been obvious for a person having ordinary skill in the art at the time of the invention to embed markup information into the content instead of saving it in storage ahead of time as disclosed by Wang. One of ordinary in the art would have been motivated to do this in order to eliminate the burden on the Proxy server, which is accessing storage to retrieve markup information when preparing device-specific content.

7. Claims 53-54, 56, and 58 have similar limitations as to claims 50 - 52, therefore, they are rejected under the same rational.

8. As per claim 8, Wang and Britton teach the method of claim 50 wherein said step of converting the device-independent content comprises the step of invoking said

markup information corresponding to the device feature values associated with the user network terminal device (column 8, line 5 – 44).

9. As per claims 11, 24, and 44, Wang teaches wherein said requesting user network terminal device comprises at least one of a wireless telephone and a personal digital assistant (column 2, lines 30 - 41).

10. As per claim 12, Wang et al. teaches the method of claim 1 further comprising the step of identifying said requesting user network terminal device prior to said step of identifying one or more of the device feature values associated with the user network terminal device (Fig. 7, line 30 - 56).

11. As per claim 13, Wang et al. teaches the method of claim 12 wherein said step of identifying said requesting user network terminal device comprises the step of reading network terminal device information contained in said request (column 8, line 26 - 44).

12. As per claim 21, Wang et al. teaches the communication system of claim 51 further comprising a content repository accessible by said origin server, said content repository for storing annotated authored whereby said origin server provides device-independent content from said annotated authored content (see Fig. 1, database).

13. Claims 2-6, 57, 9-10, 14, 17, 20, 22-23, 26, 29-31, 33-41, 43, 45, and 59 - 61 rejected under 35 U.S.C. 103(a) as being unpatentable over Wang in view of US Pat. No. 6,654,814 to Britton et al. (hereinafter Britton).

14. As per claim 2, Wang does not teach the method of claim 50 further comprising the step of specifying a feature-value set for the plurality of user network terminal devices, said feature-value set including a set of selected device features with one or more discrete feature values assigned to each said selected device feature, each said selected device feature selected from the features of the plurality of user network terminal devices in accordance with a pre-established criterion. However, Britton teaches specifying a feature-value set for the plurality of user network terminal devices, said feature-value set including a set of selected device features with one or more discrete feature values assigned to each said selected device feature, each said selected device feature selected from the features of the plurality of user network terminal devices in accordance with a pre-established criterion (the device conversion preference determined by user profile; column 10, lines 1-21; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

15. As per claim 3 and 57, Wang does not teach wherein said set of selected device features comprises a member of the group consisting of display size, aspect ratio,

display line count, color capability, graphics capability, variable size text capability, different font capability, input capability, and input bandwidth. However, Britton teaches wherein said set of selected device features comprises a member of the group consisting of display size, aspect ratio, display line count, color capability, graphics capability, variable size text capability, different font capability, input capability, and input bandwidth (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

16. As per claim 4, Wang et al. and Britton teach pre-established criterion includes a determination that a particular said selected device feature affects the manner in which the authored content is presented (col. 7, line 30 – 56).

17. As per claim 5, does not teach wherein said feature value set comprises discrete values assigned to selected features of a generic network terminal device. However, Britton teaches wherein said feature value set comprises discrete values assigned to selected features of a generic network terminal device (the device specific conversion preference contains values assigned to select features, column 11, lines 38-60). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of

content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

18. As per claim 6, Wang does not explicitly teach the method of claim 5 wherein said generic network terminal device comprises a set of device features selected from the display features of the plurality of user network terminal devices. However, Britton teaches the method of claim 5 wherein said generic network terminal device comprises a set of device features selected from the display features of the plurality of user network terminal devices (column 11, lines 61-67; column 12, lines 1-4). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

19. As per claim 9 Wang does not teach the method of claim 50 wherein said step of converting the device-independent content comprises the step of removing said markup information from said device-independent content. However, Britton wherein said step of converting the device-independent content comprises the step of removing said markup information from said device-independent content (column 8, lines 26-37; column 12, lines 20-31). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in

order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

20. As per claim 10, Wang does not teach the method of claim 50 further comprising the steps of: automatically analyzing said device-independent content; and automatically embedding meta-data into said device independent content, said meta-data comprising device feature values based on the device independent content. However Britton teaches automatically analyzing said device-independent content; and automatically embedding meta-data into said device independent content, said meta-data comprising device feature values based on the device independent content (column 8, lines 26-37; column 12, lines 20-31). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

21. As per claim 14, Wang does not explicitly teach the method of claim 50 wherein said step of converting the device independent content comprises the steps of:
determining the array of display pixels available in said requesting user network terminal device based on the device feature values associated with the user terminal device;

comparing said array of display pixels with an array of image pixels corresponding to an image in the device independent;

selecting said authored content image for display in said requesting user network terminal device if said array of image pixels does not exceed said array of display pixels; and

suppressing said image from display if said array of image pixels does exceed said array of display pixels.

However, Britton teaches determining the array of display pixels available in said requesting user network terminal device based on the device feature values associated with the user terminal device (column 8, lines 26-37; column 12, lines 20-31);

comparing said array of display pixels with an array of image pixels corresponding to an image in the device independent content (column 8, lines 26-37; column 12, lines 20-31);

selecting said authored content image for display in said requesting user network terminal device if said array of image pixels does not exceed said array of display pixels (column 8, lines 26-37; column 12, lines 20-31); and

suppressing said image from display if said array of image pixels does exceed said array of display pixels (column 8, lines 26-37; column 12, lines 20-31). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

22. As per claim 17, Wang does not teach the method of claim I wherein said step of converting the device independent content comprises the steps of:

determining that said device independent content is marked as having a bi-axially free form characteristic;

identifying the character count supported by a display in said requesting user network terminal device;

sending to said requesting user network terminal device a segment of content, wherein the character count in said segment corresponds to said character count supported by said display.

However, Britton teaches determining that said device independent content is marked as having a bi-axially free form characteristic (column 8, lines 26-37; column 12, lines 20-31);

identifying the character count supported by a display in said requesting user network terminal device (column 8, lines 26-37; column 12, lines 20-31);

sending to said requesting user network terminal device a segment of content, wherein the character count in said segment corresponds to said character count supported by said display (column 8, lines 26-37; column 12, lines 20-31). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

23. As per claim 20, Wang does not teach the communication system of claim further comprising a device profile repository accessible by said network terminal device detector, said device profile repository including a feature-value set for the requesting user network terminal device, said feature-value set including a set of selected user network terminal device features with one or more discrete device feature values assigned to each said selected user network terminal device feature. However, Britton teaches the communication system of claim 18 further comprising a device profile repository accessible by said network terminal device detector, said device profile repository including a feature-value set for the requesting user network terminal device, said feature-value set including a set of selected user network terminal device features with one or more discrete device feature values assigned to each said selected user network terminal device feature(the device conversion preference determined by user profile; column 10, lines 1-21; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

24. As per claim 22, Wang does not explicitly teach the communication system of claim 51 wherein said at least one user network terminal device feature value is selected from the features of the requesting user network terminal device in accordance

with a pre-established criterion. However, Britton teaches wherein said at least one user network terminal device feature value is selected from the features of the requesting user network terminal device in accordance with a pre-established criterion (the device conversion preference determined by user profile; column 10, lines 1-21; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

25. As per claim 23, Wang does not teach the communication system of claim 51 wherein said set of device feature values associated with the requesting user network terminal device comprises a member of the group consisting of display size, aspect ratio, display line count, color capability, graphics capability, variable size text capability, different font capability, and input capability. However, Britton teaches wherein said set of device feature values associated with the requesting user network terminal device comprises a member of the group consisting of display size, aspect ratio, display line count, color capability, graphics capability, variable size text capability, different font capability, and input capability (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

26. As per claim 26, Wang fails to teach the method of claim 52 wherein converting comprises the step of converting the content by interpreting metatags embedded in the content. However, Britton teaches wherein converting comprises the step of converting the content by interpreting metatags embedded in the content (column 8, lines 26-37; column 12, lines 20-31). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

27. As per claim 29, Wang does not teach the method of claim 52 wherein said step of converting comprises the step of converting the content into a small-sized image if the terminal device accommodates only small-sized images, and converting the content into a large-sized image if the terminal device accommodates large-sized images. However, Britton teaches wherein said step of converting comprises the step of converting the content into a small-sized image if the terminal device accommodates only small-sized images, and converting the content into a large-sized image if the terminal device accommodates large-sized images (column 12, lines 5-17). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

28. As per claim 30, Wang does not explicitly teach the method of claim 52 further comprising the step of annotating the content with meta-data to indicate the manner in which portions of the content should be represented on a plurality of different terminal devices, having mutually incompatible display characteristics. However, Britton teaches comprising the step of annotating the content with meta-data to indicate the manner in which portions of the content should be represented on a plurality of different terminal devices, having mutually incompatible display characteristics (column 8, lines 26-37; column 12, lines 20-31). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

29. As per claim 31, Wang does not explicitly teach the method of claim 52 wherein said step of converting comprises the step of performing a best-fit match between said device display characteristics and one of a plurality of device display formats. However, Britton teaches teach the method of claim 52 wherein said step of converting comprises the step of performing a best-fit match between said device display characteristics and one of a plurality of device display formats (user conversion preferences are identified for the requesting user from the user profile; column 12, line 5-17). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for

pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

30. As per claim 33, does not explicitly teach the method of claim 32, wherein step (b) comprises determining a device type of the requesting data processing device, and looking up the one or more display feature values based on the device type. However, Britton teaches comprises determining a device type of the requesting data processing device, and looking up the one or more display feature values based on the device type (column 8, lines 26-37; column 12, lines 20-31). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

31. As per claim 34, Wang does not teach the method of claim 53 wherein one of said one or more display feature values corresponds to a display size of the requesting data processing device. However, Britton teaches 53 wherein one of said one or more display feature values corresponds to a display size of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25).). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to

improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

32. As per claim 35, Wang does not teach the method of claim 53 wherein one of said one or more display feature values corresponds to an aspect ratio of the requesting data processing device. However, Britton teaches wherein one of said one or more display feature values corresponds to an aspect ratio of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

33. As per claim 36, Wang does not teach the method of claim 53 wherein one of said one or more display feature values corresponds to a display line count of the requesting data processing device. However, Britton teaches wherein one of said one or more display feature values corresponds to a display line count of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

34. As per claim 37, Wang does not teach the method of claim 53 wherein one of said one or more display feature values corresponds to a color capability of the requesting data processing device. However, Britton teaches wherein one of said one or more display feature values corresponds to a color capability of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

35. As per claim 38, Wang does not teach the method of claim 53 wherein one of said one or more display feature values corresponds to a variable size text capability of the requesting data processing device. However, wherein one of said one or more display feature values corresponds to a variable size text capability of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

36. As per claim 39, Wang does not explicitly teach the method of claim 53 wherein one of said one or more display feature values corresponds to a multiple font capability of the requesting data processing device. However, Britton teaches wherein one of said one or more display feature values corresponds to a multiple font capability of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

37. As per claim 40, Wang does not teach the method of claim 53 wherein one of said one or more display feature values corresponds to an input capability of the requesting data processing device. However, Britton teaches wherein one of said one or more display feature values corresponds to an input capability of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

38. As per claim 41, Wang does not teach the method of claim 53 wherein one of said one or more display feature values corresponds to an input bandwidth of the

requesting data processing device. However, Britton teaches wherein one of said one or more display feature values corresponds to an input bandwidth of the requesting data processing device (column 3, lines 15-46; column 9, lines 14-47; column 10, lines 1-24; column 11, lines 1-25). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

39. As per claim 43, Wang does not teach the method of claim 53 wherein said converting comprises removing the annotations from the device-independent content. However, Britton teaches wherein said converting comprises removing the annotations from the device-independent content (column 8, lines 26-37; column 12, lines 20-31). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

40. As per claim 45, Wang does not teach the method of claim 53 wherein step (b) comprises the steps of:

determining the array of display pixels available in said requesting user network terminal device from the feature values;

comparing said array of display pixels with an array of image pixels corresponding to an authored content image;

selecting said authored content image for display in said requesting user network terminal device if said array of image pixels does not exceed said array of display pixels; and

suppressing said authored content image from display if said array of image pixels does exceed said array of display pixels.

However, Britton teaches determining the array of display pixels available in said requesting user network terminal device from the feature values (column 8, lines 26-37; column 12, lines 20-31);

comparing said array of display pixels with an array of image pixels corresponding to an authored content image (column 8, lines 26-37; column 12, lines 20-31);

selecting said authored content image for display in said requesting user network terminal device if said array of image pixels does not exceed said array of display pixels (column 8, lines 26-37; column 12, lines 20-31); and

suppressing said authored content image from display if said array of image pixels does exceed said array of display pixels (column 8, lines 26-37; column 12, lines 20-31).

It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve

tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

41. As per claim 59, Wang does not teach the apparatus of claim 58 wherein said content has been modified based on markup information identifying one or more device feature values associated with the device independent content. However, Britton teaches 58 wherein said content has been modified based on markup information identifying one or more device feature values associated with the device independent content (converting and correlating features on the content with the information about the features needed by the user or the device used by the user; column 5, lines 12-16, column 9, lines 20-65; column 12, lines 44-62). It would have been obvious for a person having ordinary skill in the art at the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

42. As per claims 60 and 61, Wang does not explicitly teach the apparatus and method of claims 58 and 59 wherein the device feature value corresponds to physical characteristics of the network terminal device. However, Britton teaches wherein the device feature value corresponds to physical characteristics of the network terminal device (type of device connected and characteristics of the device connected; column 7, lines 59-65). It would have been obvious for a person having ordinary skill in the art at

the time of the invention to combine the teachings of Wang and Britton in order to improve tailoring of content for pervasive computing devices to better exploit the resources available to such devices (col. 3, line 6 - 16).

43. As per claims 62 and 63, Wang teaches said mating comprises accessing a device profile repository including feature-value data for a plurality of different types of network terminal devices(see Fig. 1, database).

44. Claims 15, 46, 47, 48 and 49 are rejected under U.S.C. 103(a) as being unpatentable over Wang in view of Britton et al. US Patent no. 6,654,817 and further in view of Rohrbaugh et al. US Patent Publication No. 2002/0091738.

45. As per claims 15, 46, 47, 48 and 49 Wang and Britton teaches the method of claims 46, 50 and 53 wherein said step of converting the device independent content comprises the steps of:

determining an aspect ratio for said requesting user network terminal device from the device feature values associated with the user network terminal device (column 9, lines 48-54)

Wang and Britton do not explicitly teach sending authored content marked with an attribute of square to said requesting user network terminal device if said aspect ratio is square ,sending authored content marked with an attribute of portrait to said requesting user network terminal device if said aspect ratio is portrait; and

sending authored content marked with an attribute of landscape to said requesting user network terminal device if said aspect ratio is landscape.

However, Rohrabough teaches sending authored content marked with an attribute of portrait to said requesting user network terminal device if said aspect ratio is portrait (paragraph 0102); and

sending authored content marked with an attribute of landscape to said requesting user network terminal device if said aspect ratio is landscape (paragraph 0102).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the display of the aspect ratio of Britton with the portrait and landscape display of Rohrabough. A person of ordinary skill in the art would have been motivated to do this to format content specifically for a particular user device.

46. Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wang in view of Lo et al. US Patent No. 6,523,040. Lo teaches the invention as claimed including displaying content to a user with specific preferences.

Wang et al. teaches the method of claim 50.

Wang et al. does not explicitly teach wherein said step of converting the device independent content comprises the steps of:

determining that said device independent content is marked as having a uni-axis free form characteristic;

identifying the number of segments supported by the display in said requesting user network terminal device;

concatenating a number of rows for sending to said requesting user network terminal device if said uni-axis free form characteristic includes a list characteristic, wherein said number of rows corresponds to said number of segments supported; and

concatenating a number of columns for sending to said requesting user network terminal device if said uni-axis free form characteristic includes a column characteristic, wherein said number of columns corresponds to said number of segments supported.

Lo teaches a method comprising:

determining that said authored content is marked as having a uni-axis free form characteristic (column 6, lines 46-67; column 7, lines 1-35);

identifying the number of segments supported by the display in said requesting user network terminal device (column 6, lines 46-67; column 7, lines 1-35);

concatenating a number of rows for sending to said requesting user network terminal device if said uni-axis free form characteristic includes a list characteristic, wherein said number of rows corresponds to said number of segments supported (column 6, lines 46-67; column 7, lines 1-35); and

concatenating a number of columns for sending to said requesting user network terminal device if said uni-axis free form characteristic includes a column characteristic, wherein said number of columns corresponds to said number of segments supported (column 6, lines 46-67; column 7, lines 1-35).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify Wang et al. with the concatenating of Lo. A person of ordinary

skill in the art would have been motivated to do this to allow the user to view the content properly.

47. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wang in view Rohrabough.

48. As per claim 27, Wang et al. does not teach wherein said step of converting comprises the step of converting the content into a landscape formatted display format if the terminal device has a landscape-formatted display, and converting the content into a portrait-formatted display format if the terminal device has a portrait-formatted display. Rohrabough teaches converting to a portrait or landscape formatted display. See paragraph 0102. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the display of the aspect ratio of Wang et al. with the portrait and landscape display of Rohrabough. A person of ordinary skill in the art would have been motivated to do this to format content specifically for a particular user device.

49. As per claim 28, Wang et al. teaches the method of claim 52. Wang et al. does not teach wherein said step of converting comprises the step of converting the content into a first aspect ratio if the terminal device has said first aspect ratio, and converting the content into a second aspect ratio if the terminal device has said second aspect ratio. Rohrabough teaches converting the content into a first aspect ratio if the terminal device has said first aspect ratio, and converting the content into a second aspect ratio

of the terminal device has said second aspect ratio See paragraph 0102. It would have been obvious to a person of ordinary skill in the art at the time of the invention to combine the display of the aspect ratio of Wang et al. with the portrait and landscape display of Rohrabough. A person of ordinary skill in the art would have been motivated to do this to format content specifically for a particular user device.

It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonable suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968))

Response to Arguments

50. Applicant's arguments filed November 25, 2008 have been fully considered but they are not persuasive.

The applicant argues that claims 54, 55, and 58 were not addressed in the office action. These claims are similar to claim 50, 2 -6, 8-17; thus, they are rejected under the same rational. Claims 54-55 are also rejected at least by virtue of their dependency on independent claim 50 and by other reasons set forth in the above action.

The applicant argues that "Wang does not disclose requesting or receiving content comprising markup language identifying device feature values. The examiner respectfully disagrees. **Wang**, discloses web pages and a framework for accessing resources located in web enabled devices, and **Wang** also discloses sending and receiving HTML (Hyper Text Markup Language) requests which in-fact are how

hyperlinks/links are prepared. Therefore, **Wang** does disclose requesting and receiving content comprising markup language identifying device features.

The applicant also argues that "the Office Action has failed to provide an articulated reason for its proposed modification of Wang, and the rejection under 35 U.S.C. § 103(a) should therefore be withdrawn on this basis". The examiner respectfully disagrees. Applicant admits that an increasing in processing time would in fact be a universally undesirable characteristic therefore any method that would lead to a decrease in processing time would in fact be a reason for modification of **Wang**.

In addition, the applicant argues that "Wang's content transformation occurs at a different time than the converting recited in claims 50 in that Wang is only capable of transforming already existing web pages". The examiner respectfully disagrees. Regarding the order with which structural elements are presented, the order of structural elements void of any interaction therewith are not given weight. A mere structural equivalence in the prior art is sufficient to meet the scope of the limitations. A specific order of interaction must be explicitly presented in the claims. Claimed subject matter not the specification is the measure of the invention. Disclosure contained in the specification cannot be read into the claims for the purpose of avoiding prior art. In re Sporck, 55 CCPA 743, 386 F.2d 924, 155 USPQ 687 (1986); In re Self, 213 USPQ 1, 5 (CCPA 1982); In re Priest, 199 USPQ 11, 15 (CCPA 1978).

Moreover, the applicant argues that "Wang does not disclose converting content expressing or specifying "instruction from an author," as respectively recited in claims 52 and 53. The examiner respectfully disagrees. The recitation of the term "author" is broad, and can be interpreted as a web designer, and **Wang** does in fact disclose a web designer whose "rules" are transformed (i.e., converted) and ultimately applied. Therefore, **Wang** still reads on this limitation.

Conclusion

51. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SAHERA HALIM whose telephone number is (571)272-4003. The examiner can normally be reached on M-F from 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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